

**MICHIGAN DEPARTMENT OF EDUCATION
INFORMATION ON
NONPUBLIC AND HOME SCHOOLS**

August 2005

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ATTENDANCE

The law in Michigan governing compulsory attendance requires a parent, legal guardian, or other person having control or charge of a child age six to sixteen to send the child to school during the entire school year [MCL 380.1561(3)]. (See Attachment A.) A child is not required to attend a public school in the following cases:

(3) (a) *The child is attending regularly and is being taught in a state approved nonpublic school, which teaches subjects comparable to those taught in the public schools to children of corresponding age and grade, as determined by the course of study for the public schools of the district within which the nonpublic school is located.*

(3) (f) *The child is being educated at the child's home by his or her parent or legal guardian in an organized educational program in the subject areas of reading, spelling, mathematics, science, history, civics, literature, writing, and English grammar.*¹

(4) *For a child being educated at the child's home by his or her parent or legal guardian, exemption from the requirement to attend public school may exist under either subsection (3)(a) or (3)(f), or both.*

NONPUBLIC SCHOOL DEFINITION

A nonpublic school is defined under section 388.552 of the *Private, Denominational and Parochial Schools Act*, 1921 PA 302 [MCL 388.552]. (See Attachment B.)

A home school family operating under 380.1561(3)(a) as described above is considered a nonpublic school if in compliance with the *Private, Denominational and Parochial Schools Act*, 1921 PA 302. If a home school family chooses to operate under exemption (a), it may report to the Michigan Department of Education. (See **Reporting.**)

REPORTING

Nonpublic School Membership Report

The Nonpublic School Membership Report (Form SM4325) is an annual report used by the Department. Information requested on the form includes the number of students in each grade, teacher qualifications, and the course of study offered. Use of the form is authorized by section 5 of the *Nonpublic School Act*, and was approved by the Michigan Supreme Court in Sheridan Road Baptist Church v Department of Education, 426 Mich 462, 472, n 5; 396 NW2d 373 (1986) and Clonlara, Inc v State Board of Education, 442 Mich 230, 242, 501 NW2d 88 (1993).

Forms are sent to nonpublic schools in late summer with an early October due date. New nonpublic schools may request the Nonpublic School Membership Report (Form SM4325) from the Department by calling (517) 373-0796.

The Department forwards the list of nonpublic schools that have completed the reporting process to the appropriate intermediate school district, which then forwards the names to the local school districts.

If a home school family chooses to operate solely under exemption (f), see information under Attachment B-1.

¹ This listing of subjects applies to *exemption (f) home schools*. The Department of Education has historically interpreted comparable curricula for *nonpublic schools* to be: mathematics, reading, English, science, and social studies in all grades, and the Constitution of the United States, the Constitution of Michigan, and the history and present form of civil government of the United States, the State of Michigan, and the political subdivisions and municipalities of the State of Michigan in high school.

FUNDING

The Michigan Constitution under Article VIII, Section 2, prohibits public monies from being paid directly or indirectly to aid or maintain any private, denominational, or nonpublic school.

Federally funded programs may be available to nonpublic schools students. A detailed listing, *Handbook on Serving Private School Children With Federal Education Programs*, can be ordered from the U.S. Department of Education, Office of Non-Public Education, 400 Maryland Avenue SW, Room 4W341, Washington, D.C. 20202-3600; phone (202) 401-1365; fax (202) 401-1368. In addition, information may be accessed through the Internet at: <http://www.ed.gov/office/OEI/NonPublic>.

STATE REQUIREMENTS

School Building and Construction Safety

Prior to the construction, reconstruction, remodeling, or alteration/repair of a school building, sealed construction plans are required to be submitted to the following agencies for review:

*Construction Code Requirements and
Fire Safety Code Requirements*
Department of Labor and Economic Growth
Bureau of Construction Codes and Fire Safety
Irvin J. Poke, Chief
Plan Review Division
P.O. Box 30254
Lansing, MI 48909
(517) 241-9328

Health and Safety Inspections
*Contact your local county health
department*

Background

On December 23, 2002, 2002 PA 628 was signed into law. This law amends the *School Building Act*, PA 306 of 1937 by requiring the inspection of all school building construction, as well as the review of any required construction documents under the *Stille-DeRossett-Hale Single State Construction Code Act* and the *Fire Prevention Code*, 1941 PA 207.

With the enactment of this revision, school construction projects which involve the construction, addition, alteration or repair of any school building must be submitted to the Department of Labor and Economic Growth for required plan reviews, permits, and on-site inspections.

The Bureau of Construction Codes and Fire Safety located within the Department of Labor and Economic Growth has developed a single application and invoice system for the submission of required construction documents. A coordinated system for the inspection and granting of approvals, including the issuance of Certificates of Occupancy for completed construction, has also been developed. Ultimately, all school construction projects must meet both the construction standards under the *Stille-DeRossett-Hale Single State Construction Code Act*, which includes securing permits, inspections, and final approvals; and the fire prevention standards under the *Fire Prevention Code*, which includes securing inspections and final approvals through the department's Office of Fire Safety.

The law also provides for inspection by local code enforcement agencies where both the local school boards and the local unit of government certify that the local enforcing agency has full-time plan review and inspection staff and are otherwise qualified to perform these duties in the review and inspection of school buildings.

Approval for Local Code Enforcement

If nonpublic schools elect to have school construction projects inspected by local building departments, both the nonpublic school and the unit of government(s) must complete, sign, and submit a Request for Delegation form to the Department of Labor and Economic Growth. In order for that delegation to be approved by the state, both the nonpublic school and the governing body of the governmental subdivision must certify to the Department of Labor and Economic Growth that full-time code officials, inspectors, and plan reviewers registered under 1986 PA 54, will conduct plan reviews and inspections of buildings. This certification must be submitted and approved annually. Only those governmental jurisdictions which document full time inspectors and plan reviewers to enforce the complete range of construction codes including the building, electrical, mechanical, and plumbing codes may qualify for delegation of school construction authority.

Absent approval of a completed Request for Delegation form from the nonpublic school and local building department, the State of Michigan, Bureau of Construction Codes and Fire Safety has responsibility for construction code enforcement of school buildings within that unit of government. The Request for Delegation form may be obtained on the Bureau of Construction Codes and Fire Safety web site at: www.michigan.gov/bccfs.

Licensing Laws and School Construction Projects

Licensed contractors and licensed tradespersons must perform work on school construction projects in accordance with state licensing laws including: *Electrical Administrative Act*, 1956 PA 217; *Forbes Mechanical Contractors Act*, 1984 PA 192; *State Plumbing Act*, 2002 PA 733; *Boiler Act*, 1965 PA 290; and the *Elevator Safety Act*, 1967 PA 227.

Plan Review Fees and Permit Fees

A plan review fee will be required with the submission of construction documents as indicated previously. Additionally, licensed contractors must obtain construction permits for school construction projects in accordance with the fee schedule established by the governmental authority having jurisdiction.

Local county health departments should be contacted for health and safety inspections.

Additional information may be obtained by visiting the Bureau of Construction Codes and Fire Safety web site at: www.michigan.gov/bccfs.

Courses of Study

Nonpublic schools shall provide curricula comparable to those provided in local school districts. Instruction includes mathematics, reading, English, science, social studies in all grades, and the Constitution of the United States, the Constitution of Michigan, and the history and present form of civil government of the United States, the State of Michigan, and the political subdivisions and municipalities of the State of Michigan in high school. The state does not require specific content in the basic courses. Nonpublic schools, however, may wish to use the *Michigan Curriculum Framework and the Grade Level Content Expectations (GLCE)* that has been developed for public schools in Michigan. Both are available at the Michigan Department of Education webpage at <http://www.michigan.gov/mde> or contact the Curriculum and Instruction Unit at (517) 373-7248.

Teacher Certification Requirement

An individual may qualify to teach in Michigan nonpublic schools in one of three ways:

1. By obtaining a Michigan Teaching Certificate [MCL 388.553].
2. By obtaining a substitute, full-year or emergency teaching permit.
3. By obtaining a bachelor's degree.

However, if a nonpublic school claims an objection to teacher certification based upon a sincerely held religious belief, the minimum education requirements for teachers are waived (Syllabus of *People v DeJonge* 442 Mich 266 under Attachment C). Information regarding Michigan teacher certificates and permits is under Attachment D.

Teacher Criminal History and Unprofessional Applicant Checks

Criminal history checks are mandatory for individuals offered initial employment as a teacher, school administrator, school counselor, school psychologist, school nurse, or school social worker in a public or nonpublic school [MCL 380.1230 and MCL 380.1230a]. (See Attachment E.)

Michigan law requires a former or current employer to disclose to a prospective school employer any unprofessional conduct by the applicant [MCL 380.1230b]. A public or nonpublic school is prohibited from hiring an applicant who refuses to sign a document requesting this information. (See Attachment F.)

School Calendar

In 1993, the Michigan Supreme Court in Clonlara, Inc v State Board of Education (442 Mich 252) ruled that the *Nonpublic School Act* did not require a nonpublic school to be in session for 180 days required for public schools.

The Department recommends, however, that a nonpublic school develop a school year calendar comparable to the public school district where the nonpublic school is located. **Public** schools are required to provide a minimum of 180 days and 1,098 hours of pupil instruction [MCL 388.1701(3)].

Child Care, Day Care or Latchkey Program Regulations

Programs regulating the operation of child care, day care or latchkey programs are licensed by Michigan's division of Child Day Care Licensing. For further information, please contact Child Day Care Licensing, Department of Human Services, at (517) 373-8300.

EDUCATIONAL PROGRAMS AND SERVICES

Auxiliary Services

Auxiliary services are provided for both general education and special education students. A nonpublic school may qualify for auxiliary services, federal Title I and Title V programs, Regional Educational Media Center (REMC) services, and bus transportation services from public school districts. A school should complete the Nonpublic School Membership Report on a yearly basis for services. For further information on auxiliary services, please contact the Office of Special Education and Early Intervention Services, Department of Education, at (517) 373-1696.

Auxiliary services include health and nursing services and examinations, national defense education act testing, speech and language teacher services, social work services, school psychological services, teacher consultant services for children with disabilities, and other ancillary services for students with disabilities, remedial reading, and other services determined by the Legislature.

Section 380.1296 of the *Revised School Code* provides that if particular services are provided to public school students in a school district, those services must also be made available to students attending nonpublic schools located within that district. A public school that provides auxiliary services to its resident students shall provide the same auxiliary services on an equal basis to students at nonpublic schools. In 1997, the U.S. Supreme Court ruled in Agostini v Felton (117 S Ct 1997) that intermediate and local school districts are required to make auxiliary services available on site at all nonpublic schools.

A public school is required to notify a nonpublic school within its district about the types of auxiliary services available to its students. The Michigan Administrative Code Rule 340.293 states:

“A school district providing any of these auxiliary services shall notify in writing, no later than April 1 of each school year, each of the nonpublic schools within its district as to the nature and extent of such services as contained in its proposed budget. Within 30 days after receipt of such notice, nonpublic schools shall in writing notify the district as to the services that will be needed for nonpublic school children. A school district shall confirm in writing no later than August 1 of each school year to each of the nonpublic schools within its district the nature and extent of such services as contained in its final budget as adopted by the school district board of education. . .”

Special Education

Most, but not all, auxiliary services are special education related services as defined in Rule 340.1701c(a) of Michigan's Revised Administrative Rules for Special Education. Only special education related services will be discussed here.

Both state laws/regulations and the state's application for federal funds under the Individual With Disabilities Education Act require that if a special education eligible student in the public schools is found to need a related service, then the service must be provided, whether or not the service is currently available within the district. If a nonpublic school special education student needs a related service, it must be provided to that student even if it is not currently being provided to any of the resident public school students.

To receive a special education related service, the nonpublic school student first must be found eligible for special education by an individualized educational planning team (IEPT) (i.e., the student must be found to have a qualifying impairment and to be in need of one or more special education services). To begin the process, the nonpublic school should refer the student to the local school district in which that nonpublic school is located. The nonpublic school should make the referral. Upon receipt of the referral, the public school district will conduct an evaluation and hold an IEPT meeting to determine the student's eligibility and the related services that are needed. The parent and a representative of the nonpublic school should be involved in this meeting. This referral and evaluation process should be completed within 30 school days, unless an extension of time is agreed to by the public school district and the parent.

The intermediate school district (ISD) plan for special education should describe how such services are provided to students within the ISD. In some ISDs, local districts provide services to their students while in others the ISD provides related services to local districts. In such cases, the ISD would provide the service to the nonpublic school also. However, the local district is still responsible for providing related services to eligible nonpublic school students educated within its boundaries. Therefore, unless otherwise informed, the nonpublic school's referral should be sent to the local district, not to the ISD.

For further information on auxiliary services for special education, please contact the Office of Special Education and Early Intervention Services, Department of Education, at (517) 373-1696.

Americans With Disabilities Act

For information regarding the Americans With Disabilities Act (20 USC Chapter 33, 34 CFR Part 300), please contact the Office of Special Education and Early Intervention Services, Department of Education, P.O. Box 30008, Lansing, Michigan 48909; (517) 373-1696.

Curriculum Materials

Nonpublic schools and home school families may purchase the textbooks and the instructional materials they deem necessary. Textbooks and curriculum materials may be purchased from a teacher bookstore. Support services may be contracted but are not required by law. Information regarding home school support services and materials may be accessed on the Internet at the following search prompts: *home school curriculum*, *home school associations*, or *correspondence schools*.

Enrollment in Public School Classes

Nonpublic and home school students may enroll in nonessential elective classes at the resident public school (*Snyder v Charlotte Public Schools*, 421 Mich 517, 365 NW2d 151 (1984)). Students in home school families operating under exemption (f) may also enroll in nonessential elective classes at the resident public school. (See Attachment G.) In July 1997, the U.S. Supreme Court ruled in *Agostini v Felton* that public schools may provide shared time courses to nonpublic school students on nonpublic school premises using public school employees.

Nonessential elective classes may include, but are not limited to: band, drama, art, physical education, music, computer, and advanced placement courses.

Michigan Virtual High School (MVHS)

MVHS gives nonpublic schools and home school families the opportunity to have students take virtual courses and access a variety of online tools for test review, career development and skill building. Dozens of courses are available in a wide range of subjects and learning levels from general study to rigorous Advanced Placement. New pricing models and curriculum delivery methods, including the MVHS Summer School, have been added. Nonpublic and home schools may create an MVHS account online at <http://mivhs.org>. Student registration and enrollment is also done online, once an MVHS account is established. For more information about using MVHS in a home school, home school families should visit <http://www.mivhs.org> and click home schools. Nonpublic and home school students may participate in MVHS online services and course offerings to the same extent that they are allowed to participate in public school district course offerings as provided for under Michigan law. (Email Address: rcurrie@mivu.org).

Participation in Title I

Nonpublic school students who live in Title I (20 USC §6320) school attendance areas, and are failing or at risk of failing to meet the student performance standards in the core academic curriculum, are eligible for Title I services provided by the public school district in which they live.

Funding for services to nonpublic school students is based on the number of children who live in Title I school attendance areas and meet the eligibility requirement for free or reduced-price school meals. Each spring, public school districts contact nonpublic school administrators regarding participation in the Title I program. If the nonpublic school can provide low-income data and wishes its eligible students to participate, specific arrangements are made cooperatively between the district and nonpublic school. The 1997 U.S. Supreme Court ruling in Agostini v Felton (117 S Ct 1997) makes it possible to provide Title I services on the premises of religiously-affiliated nonpublic schools.

Questions regarding Title I should be directed to the public school district. Further information may be obtained from Linda Brown, Office of School Improvement, Department of Education, at (517) 373-3921 (Email Address: brownlq@michigan.gov).

Participation in Title II, Parts A and D

Nonpublic school staff may participate in professional development activities through the Title II, Part A (Teacher and Principal Training and Recruiting) and Title II, Part D (Enhancing Education Through Technology) programs. Nonpublic school students may also benefit from technology provided through Title II, Part D. These programs are accessed through the local school district in which the nonpublic school is located.

Local public school district officials are responsible for consulting with nonpublic school officials to plan the Title II, Part A and Part D services that best meet the needs of nonpublic school staff and students.

Nonpublic Title II, Part A and Part D plans are included with those of the public school district in a single application. All materials and equipment acquired under the programs are purchased and owned by the public school district and loaned to the nonpublic school.

Nonpublic school administrators should contact their local school districts to participate in these programs. Further information may be obtained from Linda Brown, Office of School Improvement, Department of Education, at (517) 373-3921 (Email Address: brownlq@michigan.gov).

Participation in Title V, Part A (formerly Title VI)

Nonpublic school students may benefit from Title V, Part A (20 USC §7217a) programs through either the local school district in which the nonpublic school is located or the intermediate school district that serves the region.

Local public school district officials are responsible for consulting with nonpublic school officials to plan Title V, Part A programs and services that best meet the needs of children attending nonpublic schools. The plan must provide direct benefit to the nonpublic school student, not the nonpublic school. For example, the use of computers purchased with Title V, Part A funds for keeping student records or cataloging library books would provide a benefit to the private school rather than to the children in the school and, therefore, would not be allowed.

Nonpublic school Title V, Part A plans are included with those of the public school district in a single application. All materials and equipment acquired under Title V, Part A are purchased and owned by the public school district and loaned to the nonpublic school.

Nonpublic school administrators should contact their local or intermediate school district to participate in Title V, Part A. Further information may be obtained from Linda Brown, Office of School Improvement, Department of Education, at (517) 373-3921 (Email Address: brownlq@michigan.gov).

Regional Educational Media Centers (REMC)

A Regional Educational Media Center (REMC) provides a service that is available to nonpublic and home school students. The REMCs work cooperatively with one or more intermediate school districts for the improvement of instruction in Michigan's elementary and secondary schools. Most REMCs offer: instructional materials including video, video disk, and computer software; cooperative purchasing of equipment, supplies and media; Internet access and support; production services; technological problem solving; training in the use of all types of equipment; training in the integration of media into instruction, media and technology consulting; and a distribution system. Additional services include: inservice media; AV, video and computer equipment repair; desktop publishing, graphic design and layout; printing; video production, editing and duplication; professional library and online services; instructional television or building based video collections; and satellite downlink services.

For additional information regarding REMCs please contact your intermediate school district or visit their webpage at: <http://remc13.k12.mi.us/>.

Food Programs

School meals (breakfast and lunch) are available to federally tax-exempt nonpublic schools. For information on how to initiate or expand a program, please contact Mary LaRock in the School Meals Program, Department of Education, at (517) 373-3347 for referral to a consultant (Email Address: larockm@michigan.gov).

Meals and snacks served in child care centers and preschools may be eligible for Child and Adult Care Food Program reimbursement. The facility must have tax exempt status under the Internal Revenue Code of 1986, be nonresidential and licensed by the Child Day Care Licensing, Family Independence Agency. For additional information on food programs, contact Gayle Monroe, Child and Adult Care Food Program, Department of Education, at (517) 373-7391 for referral to a consultant (Email Address: monroeg@michigan.gov).

Driver Education and Bus Transportation

A nonpublic or home school student is eligible to enroll in a driver education program provided at the public school district where the student is a resident [MCL 257.811]. If a charge or enrollment fee is imposed, it shall be the same for all students who reside within the territory of the public school system [MCL 256.610]. *As of October 1, 2004, the Driver Education Program will be transferred to the Department of State.*

For information on school bus transportation for nonpublic school students, please contact Dwight Sinila, Grants Administration and Coordination Unit, Department of Education, at (517) 373-1806. (Email Address: pupiltransport@michigan.gov).

Athletics and Extracurricular Activities

The supervision and control of interscholastic athletics are the responsibility of each local board of education. Most local boards have adopted policies as proposed by the Michigan High School Athletic Association. Please contact the appropriate local school district or the Michigan High School Athletic Association at (517) 332-5046 or access information from the following Internet address: <http://www.mhsaa.com/>.

In order to participate in public school extracurricular activities, a student should be enrolled part-time in the public school.

Homebound/Hospitalized Services

If a student is enrolled part-time as a public school student and part-time as a nonpublic school student, then the public schools may have some responsibility to provide homebound/hospitalized instruction. The responsibility rests with the parent and the nonpublic school to maintain continuity with the student's nonpublic school instruction while that student is confined to the home or hospital. Parents should contact the local school district if a student is hospitalized or confined to the home during regular school hours for more than five school days [MCL 388.1709].

Safe and Drug Free Schools and Communities Act – Title IV, Part A

Nonpublic schools are entitled to participate in the *Safe and Drug Free Schools and Communities Act* program offered by the local school district or intermediate school district. To receive services or to discuss drug or violence prevention needs, please contact the appropriate local school district. (Note: Home Schools are not eligible for services or support.)

For other information regarding eligible programs and activities, please contact the Education Section, Office of Drug Control Policy at (517) 373-4700.

STUDENT RECORDS

There is no law that requires nonpublic schools to maintain student records. Parents are encouraged to maintain student records of progress throughout the year. These records will assist public or nonpublic school personnel with placement should the student enroll in a public school.

Transfer of Grades and Credits

The granting of credits and placement of students is solely determined by the receiving public or nonpublic school. Nonpublic schools and home school families are encouraged to determine what the public school policy is for grade placement and granting of credits should a student decide to return to the public system. If a student attends a nonpublic or home school and returns to a public school, the public school generally reevaluates the student for grade placement and the transfer of credit.

The issuance of report cards, transcripts, and diplomas are the responsibility of the nonpublic school and home school family (based on internal standards).

Release of Student Records

The collection of tuition and the provision of student records are a matter of contract between the school and the parent. A nonpublic school may have the right under the contract to withhold student records. Involved parties could contact an attorney to determine responsibilities.

Immunizations

Parent(s) must have their children immunized and present proof of immunization before a child may enter school unless they have one of the following waivers:

- (1) Medical Contraindication Form – a physician certifies that a specific immunization is or may be detrimental to the child’s health, or
- (2) Immunization Waiver Form – the parents or guardians hold religious or philosophical beliefs against receiving a vaccination. This waiver must be signed by the parent or guardian.

A school must report to the local health department on the status of immunizations for new entrants by November 1 and February 1 of each school year. Children that have not completed immunizations for the required series or are not in the dose waiting period should not be allowed to stay in the program until needed immunizations are obtained. Parents must also present to the school an immunization status for students enrolling in the 6th grade [MCL 380.1177]. For more information, contact the School Health Unit, Department of Education, at (517) 373-1122, the Department of Community Health at (517) 335-8159 or the local health department.

Nonpublic School Closures

The Department receives many calls from adults and prospective employers who are searching for copies of nonpublic school transcripts. They often face obstacles because the diploma-granting high school is no longer in operation and the student records are unobtainable. The Department does not maintain these records. Nonpublic schools should contact their central offices for specific procedures regarding storage of student records. An independent nonpublic school that does not have a central office may want to ask the intermediate school district in the region to maintain the student records.

MISCELLANEOUS

MEAP and Michigan Merit Award Program

Nonpublic school students and home school students may choose to take the Michigan Educational Assessment Program (MEAP) test [MCL 380.1279(14) and MCL 388.1704a(15)]. Nonpublic schools may choose to administer the MEAP test. For more information, contact <http://www.michigan.gov/meap>.

MEAP Test Centers are operated by the Michigan Department of Education exclusively for the benefit of **nonpublic school students** whose own school does not offer the MEAP test, and other qualifying students. Registration information is available at <http://www.michigan.gov/meritaward>, then click on “Test Centers.” Students are assigned to Test Center sites on a first-come, first-served basis. Students who do not register by the postmark deadline indicated on the registration form will have fewer desirable locations and dates from which to choose. Nonpublic school students whose own school offers the MEAP tests, or whose own school has made arrangements with another school to test the entire class, are not permitted to test at a MEAP Test Center.

Home school students who wish to take the MEAP tests for purposes of earning a Michigan Merit Award should contact the public school district in which they reside. It is the parent’s responsibility to contact the local public school district and stay informed of testing dates, registration procedures, etc. Home school students are not permitted to test at a MEAP Test Center.

The Merit Award Scholarship Act (1999 PA 94) established the Michigan Merit Award Program. The program provides a merit award based on student achievement on the MEAP exams. Under the program, a student may be eligible for an award up to \$2,500 to be used at any approved postsecondary education institution. The award is available to public, nonpublic, and home school students who meet the eligibility requirements.

Accreditation

Nonpublic schools may choose, but are not required, to participate in either of the following accreditation programs:

Michigan Nonpublic School Accreditation
Association
510 S. Capitol Avenue
Lansing, Michigan 48933
(517) 372-9315

North Central Association
University of Michigan
950 Victors Way, Suite 50
Ann Arbor, Michigan 48108-2736
(734) 998-9300

Discipline Policies

In general, state law does not address disciplinary procedures in nonpublic schools. Michigan law prohibits the use of corporal punishment in a public school [MCL 380.1312]. In addition, Michigan law requires a public school to permanently expel a student who possesses a dangerous weapon, commits arson or criminal sexual conduct or commits physical assault against an employee or a volunteer at a public school [MCL 380.1311 and MCL 380.1311a].

Work Permit

The *Youth Employment Standards Act* at MCL 409.104 states:

“...a minor shall not be employed in an occupation regulated by this act until the person proposing to employ the minor procures from the minor and keeps on file at the place of employment a copy of the work permit or a temporary permit. The work permit shall be issued by the issuing officer of the school district, intermediate school district, public school academy, or nonpublic school at which the minor is enrolled, and a copy of the work permit shall be placed in the minor’s permanent school file for as long as the minor is employed. A temporary permit shall be valid for 10 days from the date of issue. A work permit may be issued by the school district in which the minor’s place of employment is located, or by the public school academy or nonpublic school nearest that place of employment.”

Minors seeking employment who are home schooled shall be issued a work permit by the issuing officer of the school district, intermediate school district, public school academy, or nonpublic school in which the minor’s residence or prospective employer is located. The minor must present a signed, written statement from the parent or guardian, as the instructor of record, indicating how many hours per week the student is being home schooled.

The issuing officer will review the parent/guardian statement and issue the work permit with those hours reflected. The issuing officer will attach the parent/guardian statement to the work permit and keep a copy of the statement with their copy of the work permit filed at the school.

For additional information, contact Diana Bailey, Department of Labor and Economic Growth, at (517) 373-8904 (Email Address: baileyd@michigan.gov).

T.B. Testing

Teachers are not required by the state to have regular tests for tuberculosis. However, school systems, public or nonpublic, may require regular T.B. testing of employees.

Playground Equipment

The *Playground Equipment Safety Act*, 1997 PA 16, establishes requirements for the manufacture and assembly of public playground equipment. Free tools to help evaluate play spaces include: *Handbook for Public Playground Safety* (U.S. Consumer Product Safety Commission, Washington, D.C. 20207), *Parent Checklist: How Safe is Your Local Playground?* (CFA Playground Checklist, P.O. Box 12099, Washington, D.C. 20005-0999, include a self-addressed stamped envelope), and *National Action Plan for the Prevention of Playground Injuries* (National Program for Playground Safety, University of Northern Iowa, Cedar Falls, Iowa 50614-0618.)

Michigan Department of Education
Bureau of School Finance and School Law
Nonpublic Schools Unit
Post Office Box 30008
Lansing, Michigan 48909
<http://www.michigan.gov/mde>
Phone: (517) 373-1833
Fax: (517) 241-4223
Email Address: bazzettw@michigan.gov

DEPARTMENT OF EDUCATION RESOURCE STAFF

Americans With Disabilities Act (ADA)	Joanne Winkelman (517) 373-1696
Academically Talented	David Mills (517) 373-4213
Bus Transportation	Dwight Sinila (517) 373-1806
Child Care Food Program	CACFP (517) 373-7391
Compensatory Education (Title I)	Linda Brown (517) 373-3921
Curriculum and Instruction	(517) 373-7248
Dual Enrollment	David Mills (517) 373-4213
Lunch and Breakfast Program	School Meals Program (517) 373-3347
Michigan Educational Assessment Program (MEAP)	Michael Radke (517) 373-8393
Nonpublic Schools Unit	Wanda Bazzett (517) 373-1833
Rehabilitation Act-Section 504	(888) 320-8384
Special Education	Joanne Winkelman (517) 373-1696
Title II (Parts A and D), Title V (Part A)	Linda Brown (517) 373-3921

Information about Department of Education programs is accessible through the Internet at:
<http://www.michigan.gov/mde>

PROGRAMS AVAILABLE THROUGH OTHER STATE AND FEDERAL AGENCIES

Bureau of Construction Codes and Fire Safety Plan Review Division	Department of Labor and Economic Growth Irvin J. Poke (517) 241-9328
Child Day Care Licensing	Department of Human Services (517) 373-8300
Driver Education	Department of State (517) 241-6850
Michigan Merit Award	Department of Treasury Anne Wohlfert (toll free) 1-888 956-3748
Office of Non-Public Education	U.S. Department of Education (202) 401-1365 Email Address: OIINon-PublicEducation@ed.gov
Safe and Drug-Free Schools	Office of Drug Control Policy Kyle Guerrant (517) 373-4700